

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
PECOS DIVISION

FILED

JAN 27 2009
 CLERK, U.S. DISTRICT COURT
 WESTERN DISTRICT OF TEXAS
 BY DEPUTY CLERK

UNITED STATES OF AMERICA

V.

NORIEGA-Martinez, Victor

AKA:

SEX: Male

Age: 26

CASE NUMBER: P-09- M-765

POB: Durango, Mexico

Citizen: Mexico

CRIMINAL COMPLAINT

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about January 24, 2009 in Hudspeth County, in the Western District of Texas defendant(s) did,

knowingly and willfully entered the United States at a time and place other than as designated by immigration officers, and thereby eluded examination or inspection by immigration officers;

in violation of Title 8 United States Code, Section(s) 1325 (a)(1) & (a)(2).

I further state that I am a(n) Senior Patrol Agent and that this complaint is based on the following facts:

SEE ATTACHMENT

Continued on the attached sheet and made a part hereof:

Yes No



Signature of Complainant

Brian Scholz

Sworn to before me and subscribed in my presence,

January 28, 2009

Date

Nancy Nowak
United States Magistrate Judge

Name & Title of Judicial Officer

at Alpine, Texas

City and State



Signature of Judicial Officer

CONTINUATION OF CRIMINAL COMPLAINT

RE: NORIEGA-Martinez, Victor

AKA: 0

FACTS:

The Defendant was arrested on January 26, 2009 near Sierra Blanca in Hudspeth County in the Western District of Texas by Border Patrol Agents.

The Defendant is a citizen and national of Mexico, who is present in the United States without having been admitted or paroled by an immigration officer. The Defendant last entered the United States on or about January 24, 2009 in Hudspeth County Texas, at a time and place not designated as a port of entry by the Secretary of Homeland Security and in such a manner as to avoid inspection or detection by immigration officers. The Defendant was not in possession of any valid Immigration Documents allowing him to be in, or remain in, the United States legally.

Immigration Record: The Defendant has been apprehended and offered a voluntary return to Mexico on 3 prior occasions.

Criminal Records: None

AUSA : Miller

FILED

UNITED STATES DISTRICT COURT
 Western District of Texas
 PECOS DIVISION

UNITED STATES OF AMERICA

JAN 30 2009

CLERK, U.S. DISTRICT COURT
 WESTERN DISTRICT OF TEXAS
 BY *SP*
 DEPUTY CLERK

v.

Case Number P-09-MJ-765

Victor Noriega-Martinez,

Defendant.

JUDGMENT IN A CRIMINAL CASE
 (For Offenses Committed On or After November 1, 1987)

The defendant, Victor Noriega-Martinez, was represented by Elizabeth Rogers, Assistant Federal Public Defender.

The defendant pled guilty to Count(s) 1 of the Complaint on **January 30, 2009**. Accordingly, the defendant is adjudged guilty of such Count(s), involving the following offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
8 USC 1325(a)(1) & (a)(2)	Illegal Entry	January 26, 2009	1

As pronounced on **January 30, 2009** the defendant is sentenced as provided in pages 1 through 2 of this Judgment.

Pursuant to 18 U.S.C. § 3573, the Government moves to remit the special assessment. Therefore, the Court does not impose a special assessment.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid. If ordered to pay restitution, the defendant shall notify the Court and United States Attorney of any material change in the defendant's economic circumstances.

Signed January 30, 2009.


 B. DWIGHT GAINS
 United States Magistrate Judge

Defendant Name: Victor Noriega-Martinez
 Defendant's Age: 26

Defendant: Victor Noriega-Martinez
Case Number: P-09-M-765

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of fifteen (15) days.

The defendant shall remain in custody pending service of sentence.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____ with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal